

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Andreas Herrmann et al.	Confirmation No.:	7008
Serial No.:	10/592,010	Art Unit:	1632
Filed:	March 6, 2007	Examiner:	Wu Cheng Winston SHEN
Customer No.:	21559		
Title:	EXPRESSION SYSTEM FOR PREPARING IL-15/FC FUSION PROTEIN AND ITS USE		

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO RESTRICTION REQUIREMENT

In reply to the Restriction Requirement that was mailed in connection with the above-captioned case on August 26, 2009, Applicants elect the invention of Group I, claims 1-6, 10, 12, and 21. The election is made with traverse, as Applicants further request examination of the invention of Group II (claim 15).

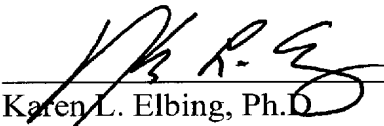
The Office has required election between a composition of matter (Group I) and a method of its use (Group II). As noted in M.P.E.P. § 1850: "The method for determining unity of invention under PCT Rule 13 shall be construed as permitting, in particular, the inclusion of any one of the following combinations of claims of different categories in the same international application... In addition to an independent claim for a given product, ... an independent claim for a use of the said product." As claim 15 is directed to a use of the product claimed in claim 1, unity of invention exists between Groups I and II. Accordingly, the requirement for restriction between these groups should be withdrawn, and both Group I and Group II examined in this application. Such action is respectfully

requested.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 21 September 2009



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